Case: 14-14045 Doc: 1 Filed: 09/29/14 Page: 1 of 11

B1 (Official Form 1) (04/13)					
United States Bankrup		5201.1	SUPA DAY DEED	THE CO.	
Western District of Ok		MARK TOTAL	INTARY PETI	TION	
Name of Debtor (if individual, enter Last, First, Middle): Calloway Sr., Michael, L		Name of Joint D	ebtor (Spouse) (Last, First,	Middle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):		All Other Names used by the Joint Debter in the last 8 years (include married, maiden, and trade names):			
N/A		S Common College week			
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN (if more than one, state all):	N)/Complete EIN	Last four digits of Sea free of Individual Tempayor I.D. (ITIN)/Complete EIN (if more than one, state all):			
xxx-xx-2864 Street Address of Debtor (No. and Street, City, and State):		Street Address o	f Joint Debtor (No. and Street	er Ciby and St	ata):
19445 Sportsman Rd		Street Address of Joint Debtor (No. and Street, City, and State):			
Edmond, Ok		WEST			
	ZIP CODE 73012	DELVI			
County of Residence or of the Principal Place of Business: Oklahoma		County of Residence or of the Principal Place of Business:			
Mailing Address of Debtor (if different from street address):		Mailing Address	of Joint Debtor (if differen	t from street add	dress):
P. O. Box 2031 Edmond. Ok					
Edmond, Ok		Pr	o Se Case	_	
Location of Principal Assets of Business Debtor (if different fi	ZIP CODE 73083	1		2	ZIP CODE
assumed a time-pair research of Basiness Bestor (it directed to	ioni succi address above).			Z	IP CODE
Type of Debtor (Form of Organization)	Nature of	Business			e Under Which
(Check one box.)	(Check one box.)		the Petitio	on is Filed (Chec	ck one box.)
✓ Individual (includes Joint Debtors)	Health Care Busi	iness il Estate as defined i	Chapter 7		oter 15 Petition for
See Exhibit D on page 2 of this form.	11 Ü.S.C. § 101(		Chapter 9 Chapter 11 Chapter 12		gnition of a Foreign Proceeding
Corporation (includes LLC and LLP) Partnership	Railroad Stockbroker		Chapter 12 Chapter 13		oter 15 Petition for egnition of a Foreign
Other (If debtor is not one of the above entities, check	☐ Commodity Brok	кег	Man Chapter 13		main Proceeding
this box and state type of entity below.)	Clearing Bank Other				
Chapter 15 Debtors	Tax-Exem			Nature of Debi	
Country of debtor's center of main interests:	(Check box, if	applicable.)	✓ Debts are primari	(Check one box ilv consumer	i.) ☐ Debts are
		kempt organization	mpt organization debts, defined in 11 U.S.C. primarily		primarily
		l Revenue Code).	individual primar		business debts.
			personal, family, household purpos		
Filing Fee (Check one box.)			Chapter 11 I		
☐ Full Filing Fee attached.		Check one box:  Debtor is a	small business debtor as de	fined in 11 U.S.	.C. § 101(51D).
Filing Fee to be paid in installments (applicable to indivi	duals $c(i N)$ . Must attach	Debtor is a Debtor is n	ot a small business debtor a	s defined in 11	U.S.C. § 101(51D).
signed application for the court's consideration certifying unable to pay fee except in installments. Rule 1006(b).	g that the debtor is	Check if:			
l		Debtor's ag	gregate noncontingent liquafiliates) are less than \$2,4	idated debts (exe 90,925 ( <i>amount</i>	cluding debts owed to
Filing Fee waiver requested (applicable to chapter 7 indi- attach signed application for the court's consideration.	viduals only). Must	on 4/01/16	and every three years there		,,
"INSTALLMENTS	The last rollings.	Check all applic	able boxes:		
MOIVERMENT		☐ A plan is be ☐ Acceptance	eing filed with this petition. s of the plan were solicited	prepetition from	n one or more classes
Statistical/Administrative Information		of creditors	, in accordance with 11 U.S	.C. § 1126(b).	
				j	THIS SPACE IS FOR COURT USE ONLY
Debtor estimates that funds will be available for dis Debtor estimates that, after any exempt property is distribution to unsecured creditors.	tribution to unsecured credexcluded and administrative	ditors. ve expenses paid, th	ere will be no funds availab	ole for	
Estimated Number of Creditors					
<b>☑</b> □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □	5,001-	]	01- 50,001-	□ Over	
5,000		5,000 50,00		100,000	
Estimated Assets					
	,001 \$10,000,001 \$3		,000,001 \$500,000,001	☐ Mara than	
\$50,000 \$100,000 \$500,000 to \$1 to \$10	to \$50 to	\$100 to \$5	00 to \$1 billion	More than \$1 billion	
Estimated Liabilities million million	million m	illion millio	on		
\$0 to \$50,001 to \$100,001 to \$500,001 \$1,000 \$50,000 \$100,000 \$500,000 to \$1 to \$10		50,000,001 \$100, \$100 to \$50	000,001 \$500,000,001 to \$1 billion	More than \$1 billion	
million million		illion millio		จะ กแแดม	

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B1 (Official Form 1		<del></del>	Page 2	
Voluntary Petitio (This page must be	on e completed and filed in every case.)	Name of Debtor(s): Michael Calloway Sr.		
	All Prior Bankruptcy Cases Filed Within Last 8		t.)	
Location Where Filed:	Western District of Oklahoma	Case Number: 09-16011	Date Filed:	
Location Where Filed:		Case Number:	Date Filed:	
Name of Debtor:	Pending Bankruptcy Case Filed by any Spouse, Partner, or Af	filiate of this Debtor (If more than one, attach a Case Number:		
District:	N/A		Date Filed:	
District.		Relationship:	Judge:	
10Q) with the Sec of the Securities E	Exhibit A  if debtor is required to file periodic reports (e.g., forms 10K and urities and Exchange Commission pursuant to Section 13 or 15(d) xchange Act of 1934 and is requesting relief under chapter 11.)  attached and made a part of this petition.	Exhibit  (To be completed if debte whose debts are primarily  I, the attorney for the petitioner named in the informed the petitioner that [he or she] may pof title 11, United States Code, and have exp such chapter. I further certify that I have deliby 11 U.S.C. § 342(b).  X  Signature of Attorney for Debtor(s)	or is an individual consumer debts.)  foregoing petition, declare that I have broceed under chapter 7, 11, 12, or 13 plained the relief available under each	
	Fkih			
Does the debtor own or have possession of any property that poses or is allege I to pose a threat of imminent and identifiable harm to public health or safety?  Yes, and Exhibit C is attached and made a part of this petition.  No.				
(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)  Exhibit D, completed and signed by the debtor, is attached and made a part of this petition.  If this is a joint petition:  Exhibit D, also completed and signed by the joint debtor, is attached and made a part of this petition.				
	Information Regarding			
Ø	(Check any appi Debtor has been domiciled or has had a residence, principal place of preceding the date of this petition or for a longer part of such 180 day	of business, or principal assets in this District	for 180 days immediately	
	There is a bankruptcy case concerning debtor's affiliate, general partr	ner, or partnership pending in this District.		
Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.				
Certification by a Debter Who Resides as a Tenant of Residential Property (Check all applicable boxes.)				
	Landlord has a judgment against the debtor for possession of debtor	,	llowing.)	
		(Name of landlord that obtained judgment)		
		(Address of landlord)		
	Debtor claims that under applicable nonbankruptcy law, there are centire monetary default that gave rise to the judgment for possession	circumstances under which the debtor would be on, after the judgment for possession was entered	permitted to cure the d, and	
Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).				

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B1 (Official Form 1) (04/13)	Page 3		
Voluntary Petition (This page must be completed and filed in every case.)	Name of Debtor(s): Michael Calloway Sr.		
Sign:			
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative		
I declare under penalty of perjury that the information provided in this petition is true and correct.  [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.  [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).  I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.  X Michael Calloway Sr. Signature of Debtor	I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.  (Check only one box.)  I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.  Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.  X  (Signature of Foreign Representative)		
Signature of Joint Debtor 405-241-6147	(Printed Name of Foreign Representative)		
Telephone Number (if not represented by attorney) 09/29/2014 Date	Date		
Signature of Attorney*	Signature of Non-Attorney Bankruptcy Petition Preparer		
X Signature of Attorney for Debtor(s) Printed Name of Attorney for Debtor(s) Firm Name	I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.		
Address			
Telephone Number  Date	Printed Name and title, if any, of Bankruptcy Petition Preparer		
*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.	Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)		
Signature of Debtor (Corporation/Partnership)			
I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.  The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Address  X  Signature		
X Signature of Authorized Individual	Date		
	Signature of bankruptcy petition preparer or officer, principal, responsible person, or		
Printed Name of Authorized Individual	partner whose Social-Security number is provided above.		
Title of Authorized Individual  Date	Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual.		
	individual.  If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.  A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.		

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B 201B (Form 201B) (12/09)

### UNITED STATES BANKRUPTCY COURT

Western District of Oklahoma

Case No.
Chapter
TICE TO CONSUMER DEBTOR(S) F THE BANKRUPTCY CODE
corney] Bankruptcy Petition Preparer ning the debtor's petition, hereby certify that I delivered to the debtor the de.
Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person, or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)
oy 11 0.0.0. y 110.,
cation of the Debtor and read the attached notice, as required by § 342(b) of the Bankruptcy
Signature of Debtor Date

Use this form to certify that the debtor has received the notice required by 11 U.S.C. § 342(b) only if the certification has NOT been made on the Voluntary Petition, Official Form B1. Exhibit B on page 2 of Form B1 contains a certification by the debtor's attorney that the attorney has given the notice to the debtor. The Declarations made by debtors and bankruptcy petition preparers on page 3 of Form B1 also include this certification.

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FB 201A (Form 201A) (11/12)

### UNITED STATES BANKRUPTCY COURT

# NOTICE TO CONSUMER DEBTOR(S) UNDER §342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

#### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filling fee, \$46 administrative fee, \$15 trustee surcharge: Total fee \$306) Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, the United States trustee (or bankruptcy administrator), the trustee, or creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny

Form B 201A, Notice to Consumer Debtor(s)

Page 2

your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

# <u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$46 administrative fee: Total fee \$281)

Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

## Chapter 11: Reorganization (\$1,167 filing fee, \$46 administrative fee: Total fee \$1,213)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$46 administrative fee: Total fee \$246)
Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

# 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court. The documents and the deadlines for filing them are listed on Form B200, which is posted at <a href="http://www.uscourts.gov/bkforms/bankruptcy">http://www.uscourts.gov/bkforms/bankruptcy</a> forms.html#procedure.

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B 1D (Official Form 1, Exhibit D) (12/09)

## UNITED STATES BANKRUPTCY COURT

Western District of Oklahoma

In re Michael Calloway Sr.	Case No
Debtor	(if known)

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- ☐ 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.

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B 1D (Official Form 1, Exh. D) (12/09) - Cont.

□ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

Page 2

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

- ☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]
  - $\square$  Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as  $\omega$  be incapable of realizing and making rational decisions with respect to financial responsibilities.);
  - ☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
    - ☐ Active military duty in a military combat zone.
- ☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor: Michael Calloway Sr.

Date: 09/29/2014

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Sec.

Certificate Number: 15725-OKW-CC-024262130



## **CERTIFICATE OF COUNSELING**

I CERTIFY that on September 19, 2014, at 8:25 o'clock AM EDT, Michael Calloway received from 001 Debtorce, Inc., an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the Western District of Oklahoma, an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111.

A debt repayment plan was not prepared. If a debt repayment plan was prepared, a copy of the debt repayment plan is attached to this certificate.

This counseling session was conducted by internet.

Date: September 29, 2014

By: /s/Derick Robinson

Name: Derick Robinson

Title: Counselor

<sup>\*</sup> Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. *See* 11 U.S.C. §§ 109(h) and 521(b).

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# IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

IN RE:	)
Michael Calloway Sr.	)
-	) Case No
Debtor.	) Chapter 13
Deotor.	)
V	TERIFICATION OF MATRIX
The above named and correct to the best of his/her/t	debtor hereby verifies that the attached List of Creditors is true heir knowledge.
Date: 09/29/2014	Michael Calloway Sr.
	Debtor Name
	Joint Debtor Name (if applicable)

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## Calloway Matrix

Capital One Home Loans, LLC 12800 Foster Street Overland Park, KS 66213